

ESTTA Tracking number: **ESTTA773310**Filing date: **09/28/2016**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	The Procter & Gamble Company		
Entity	Corporation	Citizenship	Ohio
Address	One Procter & Gamble Plaza Cincinnati, OH 45202 UNITED STATES		

Attorney information	Alison Tan The Procter & Gamble Company One Procter & Gamble Plaza Cincinnati, OH 45202 UNITED STATES pgtrademarks.im@pg.com Phone:513-983-2798
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Registration Subject to Cancellation

Registration No	4430790	Registration date	11/12/2013
Registrant	Thompson, Geoffrey 200 Pine Ave. Long Beach, CA 90802 UNITED STATES		

Goods/Services Subject to Cancellation

Class 003. First Use: 2008/01/01 First Use In Commerce: 2008/01/01

Cancelled goods and services in the class: Anti-cavity dental rinses; Anti-cavity mouth rinses; Anti-cavity mouthwashes; Breath freshener; Breath freshening confectionary, namely, dissolvable breath strips, breath mints, candy and gum; Breath freshening sprays; Breath freshening strips; Breath mints for use as a breath freshener; Cosmetic preparations for the care of mouth and teeth; Dental bleaching gel; Dental bleaching gels; Dentifrice; Dentifrices; Dentifrices and mouthwashes; Dentifrices in the form of chewing gum; Denture cleaners; Denture cleaning preparations; Denture polishes; Mouth washes; Mouthwash; Mouthwashes; Non-medicated breath freshening strips; Non-medicated dental rinse; Non-medicated mouth rinse; Non-medicated mouth wash and rinse; Non-medicated mouth washes; Non-medicated mouthwash and gargle; Non-medicated mouthwashes; Preparation for cleaning dentures; Teeth cleaning lotions; Teeth whitening kit; Teeth whitening strips impregnated with teeth whitening preparations; Tooth bleaching preparations; Tooth cleaning preparations; Tooth gel; Tooth paste; Tooth paste in soft cake; Tooth polishes; Tooth powder; Tooth powders; Tooth whiteners for cosmetic purposes comprised of neutral sodium fluoride sustained release gel; Tooth whitening creams; Tooth whitening gels; Tooth whitening pastes; Tooth whitening preparations; Toothpaste; Toothpaste and mouthwashes; Toothpastes

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
Related Proceed-	Office Action issued against Procter & Gamble's application 87030056. Request

ings	that application be suspended pending the outcome of the cancellation action.
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Attachments	MM336671 JUICY JEWEL Partial Cancellation action pleading.pdf(94827 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/atan/
Name	Alison Tan
Date	09/28/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark Registration No. **4430790**

For the mark **JUICY JEWEL**

Date registered: November 12, 2013

Procter & Gamble Business Services)	
Canada Company)	
Petitioner,)	
v.)	Cancellation No. _____
Geoffrey Thompson)	
Respondent)	

PETITION TO CANCEL

Procter & Gamble Business Services Canada Company (“Petitioner”), a Canadian corporation with its principal place of business at 1959 Upper Water Street, Suite 800, Halifax, Nova Scotia, Canada B3J 2X2, believes that it is and will continue to be damaged by the above-identified registration, and pursuant to 15 U.S.C. § 1064 *et seq.* and 37 C.F.R. § 2.111 *et seq.*, hereby petitions to cancel the same.

Petitioner’s grounds for this Petition are as follows:

- (1) Petitioner applied to register the mark JEWEL based on an intent to use in the United States Patent and Trademark Office on May 9, 2016. Such application was issued Serial No. 87030056.
- (2) The Examining Attorney reviewing the Application has refused registration on the ground that Petitioner’s mark so resembled Registration No. 4430790 as to be likely to cause confusion, or to cause mistake or to deceive.

(3) Upon information and belief, Respondent is the record owner of Registration No. 4430790 for the mark JUICY JEWEL. To the best of Petitioner's information, Respondent's address is Geoffrey Thompson, an Australian individual, 200 Pine Avenue, Ste. 522, Long Beach, CA 90802

(4) To the best of our knowledge, the Respondent has never used the trademark on anti-cavity dental rinses; anti-cavity mouth rinses; anti-cavity mouthwashes; breath freshener; breath freshening confectionary, namely, dissolvable breath strips, breath mints, candy and gum; breath freshening sprays; breath freshening strips; breath mints for use as a breath freshener; cosmetic preparations for the care of mouth and teeth; dental bleaching gel; dental bleaching gels; dentifrice; dentifrices; dentifrices and mouthwashes; dentifrices in the form of chewing gum; denture cleaners; denture cleaning preparations; denture polishes; mouth washes; mouthwash; mouthwashes; non-medicated breath freshening strips; non-medicated dental rinse; non-medicated mouth rinse; non-medicated mouth wash and rinse; non-medicated mouth washes; non-medicated mouthwash and gargle; non-medicated mouthwashes; preparation for cleaning dentures; teeth cleaning lotions; teeth whitening kit; teeth whitening strips impregnated with teeth whitening preparations; tooth bleaching preparations; tooth cleaning preparations; tooth gel; tooth paste; tooth paste in soft cake; tooth polishes; tooth powder; tooth powders; tooth whiteners for cosmetic purposes comprised of neutral sodium fluoride sustained release gel; tooth whitening creams; tooth whitening gels; tooth whitening pastes; tooth whitening preparations; tooth paste; tooth paste and mouthwashes; toothpastes ("the Oral care goods"), or in the alternative, that the Respondent has discontinued use of the alleged mark JUICY JEWEL thereby abandoning his rights in relation to the Oral care goods within the meaning of Section 45 of the United States Trademark Act of 1946, 15 U.S.C. § 1127.

(5) Given that the alleged mark JUICY JEWEL has been abandoned by Respondent, it is subject to cancellation under Section 14 of the United States Trademark Act of 1946, as amended, U.S.C. § 1064.

(6) By virtue of the foregoing, Petitioner is now being and will be damaged by the continued presence on the Register of Registration No. 4430790 for JUICY JEWEL, in respect of the Oral care goods.

WHEREFORE, the Petitioner respectfully prays that Registration No. 4430790 will be cancelled in respect of the Oral care goods.

Respectfully submitted,

PROCTER & GAMBLE BUSINESS
SERVICES CANADA COMPANY



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The Procter & Gamble Company
One Procter & Gamble Plaza
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(513) 983-1000

Attorney for Petitioner
PROCTER & GAMBLE BUSINESS
SERVICES CANADA COMPANY

Dated: September 27, 2016